IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 21875 of 2004

Between:

Sri Parameswari Wines Borabanda, Hyderabad
rep by its partner-in-charge Sri V.Laxman, S/o.V.Kistaiah 40 R/o.8-4-369/373 Banjara Nagar, Borabanda, Hyderabad

.... PETITIONER

AND

1 Government of Andhra Pradesh, rep. by The Secretary, Home Department, Secretariat, Hyderabad.
2 The Inspector C.C.S Police Station Opp.Public Gardens, Hyderabad.
3 Sri N.Ravinder S/o.N.Sathaiah
R/o.8-3-229/A/6, Jasibhavani Nagar Rahamath Nagar, Road, Yousufguda, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondent No.2 not harassing the partner of the petitioners firm under the undue influence of Respondent No.3 herein is as arbitrary, illegal, unlawful, unconstitutional and against to the principles of natural justice.

Counsel for the Petitioner:MR.V.VENKATA KUMAR

Counsel for the Respondent Nos 1&2: GP FOR HOME

The Court made the following :

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO. 21875 of 2004

ORDER:

The petitioner claims to be a licensee under I.L.24. According to it, some disputes arose between the partners, and in particular, the 3rd respondent, on the one hand, and the remaining respondents, on the other hand. The grievance of the petitioner is that, at the instance of the 3rd respondent, the 2nd respondent is pressurizing the petitioner-firm to make certain payments to the 3rd respondent.

Heard the learned counsel for the petitioner and learned Government Pleader for Home.

Basically, the dispute between the petitioner and the 3rd respondent is civil in nature. If at all, the 3rd respondent had submitted any complaint to the 2nd respondent, alleging any criminal acts against the petitioner, or any of its partners, it shall always be open to the 2nd respondent to take further steps, duly registering a case. However, they cannot pressurize an individual, or group of individuals, without registering a case.

The writ petition is, therefore, disposed of, directing that, in the absence of any specific complaint, and without registering any case, under the relevant provisions of law, the 2nd respondent shall not interfere with the functioning of the petitioner, or to

pressurize the partners thereof, for making any payments. There shall be no order as to costs.

_____

L. NARASIMHA REDDY, J.

Dt.06-12-2004

KO

To

1 Government of Andhra Pradesh, rep. by The Secretary, Home Department, Secretariat, Hyderabad.
2 The Inspector C.C.S Police Station Opp.Public Gardens, Hyderabad.
3. 2 CCs to G.P. for Home, High Court of A.P., High Court Buildings,

Hyderabad (OUT).

4. 2 C.D copies.